

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BACKERTOP LICENSING LLC,)
Plaintiff,)
v.) Civ. No. 22-572-CFC
CANARY CONNECT, INC.,)
Defendant.)

BACKERTOP LICENSING LLC,)
Plaintiff,)
v.) Civ. No. 22-573-CFC
AUGUST HOME, INC.,)
Defendant.)

MEMORANDUM ORDER

Whereas the testimony of witnesses and representations of counsel at the November 10, 2022 hearing and other conduct by counsel and entities in this case and other cases in this Court give rise to concerns about the accuracy of statements in filings made by Plaintiff Backertop Licensing LLC (Backertop), whether counsel complied with the Rules of Professional Conduct and orders of this Court, whether there are real parties in interest such as Mavexar and IP Edge that have been hidden from the Court and Defendants, whether those real parties in interest

perpetrated a fraud on the court by fraudulently conveying to a shell LLC patents asserted in this Court and filing fictitious patent assignments with the United States Patent and Trademark Office designed to shield those parties from the potential liability they would otherwise face in asserting patents in litigation in this Court, *see Nimitz Techs. LLC v. CNET Media, Inc.*, No. 21-1247, D.I. 32;

NOW THEREFORE, at Wilmington on this Thirty-first day of March in 2023, it is HEREBY ORDERED that Backertop shall produce to the Court no later than April 30, 2023 copies of the following documents and communications that are in the possession, custody, and control of Backertop, Lori LaPray, the Chong Law Firm, PA, and/or Fresh IP, PLC:

1. Any and all retention letters and/or agreements between Backertop and the Chong Law Firm, PA.
2. Any and all retention letters and/or agreements between Backertop and Fresh IP, PLC.
3. Any and all communications and correspondence, including emails and text messages, that Lori LaPray had with Mavexar; IP Edge; Daedalus Blue, LLC; Terrace Licensing, LLC; Sanjay Pant; Linh Dietz; Papool Chaudhari; Lillian Woung; Gautham Bodepudi; Brandon LaPray; and/or any representative of Mavexar and/or IP Edge regarding:
 - a. the formation of Backertop;

- b. assets, including patents, owned by Backertop;
 - c. the potential acquisition of assets, including patents, by Backertop;
 - d. the nature, scope, and likelihood of any liability, including but not limited to attorney fees, expenses, and litigation costs, Backertop could incur as a result of its acquisition of and/or assertion in litigation of any patent;
 - e. U.S. Patent Nos. 9,332,385; 9,654,617; 10,477,011; and 10,728,382;
 - f. the retention of the Chong Law Firm, PA to represent Backertop in these cases;
 - g. the retention of Fresh IP, PLC to represent Backertop in these cases;
 - h. the settlement or potential settlement of these cases;
 - i. the dismissal of these cases; and
 - j. the November 10, 2022 hearing, including but not limited to the travel expenses and arrangements for Mrs. LaPray to attend the hearing.
4. Any and all communications and correspondence, including emails and text messages, that Jimmy Chong and/or any employee or representative of the Chong Law Firm, PA had with Mavexar; IP Edge; Daedalus Blue

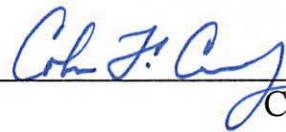
LLC; Terrace Licensing, LLC; Sanjay Pant; Linh Dietz; Papool Chaudhari; Lillian Woung; Gautham Bodepudi; Brandon LaPray; and/or any representative of Mavexar and/or IP Edge regarding:

- a. the formation of Backertop;
- b. assets, including patents, owned by Backertop;
- c. the potential acquisition of assets, including patents, by Backertop;
- d. the nature, scope, and likelihood of any liability, including but not limited to attorney fees, expenses, and litigation costs, Backertop could incur as a result of its acquisition of and/or assertion in litigation of any patent;
- e. U.S. Patent Nos. 9,332,385; 9,654,617; 10,477,011; and 10,728,382;
- f. the retention of the Chong Law Firm, PA to represent Backertop in these cases;
- g. the retention of Fresh IP, PLC to represent Backertop in these cases;
- h. the settlement or potential settlement of these cases;
- i. the dismissal of these cases; and

- j. the November 10, 2022 hearing, including but not limited to the travel expenses and arrangements for Mrs. LaPray to attend the hearing.
5. Any and all communications and correspondence, including emails and text messages, that Ronald Burns and/or any employee or representative of Fresh IP, PLC had with Mavexar; IP Edge; Daedalus Blue LLC; Terrace Licensing, LLC; Sanjay Pant; Linh Dietz; Papool Chaudhari; Lillian Woung; Gautham Bodepudi; Brandon LaPray; and/or any representative of Mavexar and/or IP Edge regarding:
 - a. the formation of Backertop;
 - b. assets, including patents, owned by Backertop;
 - c. the potential acquisition of assets, including patents, by Backertop;
 - d. the nature, scope, and likelihood of any liability, including but not limited to attorney fees, expenses, and litigation costs, Backertop could incur as a result of its acquisition of and/or assertion in litigation of any patent;
 - e. U.S. Patent Nos. 9,332,385; 9,654,617; 10,477,011; and 10,728,382;
 - f. the retention of the Chong Law Firm, PA to represent Backertop in these cases;

- g. the retention of Fresh IP, PLC to represent Backertop in these cases;
 - h. the settlement or potential settlement of these cases;
 - i. the dismissal of these cases; and
 - j. the November 10, 2022 hearing, including but not limited to the travel expenses and arrangements for Mrs. LaPray to attend the hearing.
6. Any and all monthly statements for any and all bank accounts held by Backertop for the period April 1, 2022 through November 10, 2022.
7. Any and all documents relating to Backertop's use, lease, purchase, and/or retention of 2100 14th St., Suite 107 (PMB 1044), Plano, TX 75074.

It is FURTHER ORDERED that Plaintiff shall submit no later than April 30, 2023 a sworn declaration from Lori LaPray that identifies any and all assets owned by Backertop as of April 28, 2022.



CHIEF JUDGE